



## TOWN OF ARLINGTON MINUTES OF THE PERMANENT TOWN BUILDING COMMITTEE MEETING

Date: August 16, 2022

Time: 7:00PM

Location: Each of the Committee Members and the Guests Participated Utilizing the ZOOM Videoconferencing Platform or by Phone Conference

Attendance: Bob Jefferson, , John Maher, Peter Martini, , Allen Reedy, Mike Rademacher, Jim Feeney, Bill Hayner

Absent - Brett Lambert, Rob Behrent,

Guests: Josh Sydney, David Steeves, Steve Kirby,

Chairman Reedy called the meeting to order at 7:02 pm.

### TOWN YARD

Mr. Sydney did a photo update of the project showing the following: Building E slab deck concrete 8/3, Building E PEMB erection 8/3, Salt shed canopy 8/8 and 8/11, excavation and compacting for fuel tanks 8/8, final beam on building E topping off 8/9 and fuel tanks install 8/10.

Mr Sydney then gave an update of the following progress:

Building A windows will be tested after Labor Day

Site soils are being exported and is ongoing

Building C is done for now and have done all they can at this point

Building D waiting on National Grid for location so they can do more exploratory on columns

Building E is progressing along

Building A still waiting on Eversource to do energizing at pole for primary power

Mr Sydney presented the following change order for approval;

CR25B - Building A spray foam on perimeter - \$15,248.04

A motion to approve change order was made by Jefferson and seconded by Maher

Motion passed unanimously on a roll call vote, 7-0.

Mr Sydney presented the following invoices:

- Weston and Sampson- Invoice #8220394 – July services for CA, Env CA, Geotech CA - \$50,500.00
- Commodore Builders - Requisition #15 - July 2022 - \$1,408,167.33

Motion was made by Jefferson and seconded by Maher to approve 2 invoices totaling \$1,458,667.33  
Motion passed unanimously on a roll call vote 7-0

Mr Sydney presented a proposal to settle several outstanding issues with Commodore (see attached). A detailed explanation of the process and each item was given by Mr Sydney.

A discussion was held by the committee on each item and the total additional cost to the Town would be approximately \$466,000. By granting Commodore the additional time Mr Maher wanted to know what the new completion dates would be. Mr Sydney stated phase 1 would be March 2023 and phase 2 would be October 2023.

A motion to approve the presented proposal and have Mr Sydney formalize any additional change orders and transfers was made by Martini and seconded by Maher.

Motion passed unanimously on a roll call vote 7-0

Mr Sydney updated the committee that they were still working on VE to put the snow melt system back into the project. They are still negotiating pricing but he hopes to bring it back at a low six figure cost. Will keep committee updated.

#### CENTRAL SCHOOL

Mr. Kirby gave an update on the status of the project.

KSR was on site 8/12

Working on door hardware, boiler room exit device, staff signs, granite sign post install, warranty list, elevator floor, HVAC commissioning, light fixtures and closeout and OM at 75%.

COP reviews are ongoing. 11-15 outstanding COPs.

The following invoices were presented and motion to approve by Jefferson and seconded by Martini:

- Vertex- Invoice #177106- OPM services July 2022 - \$3733.75
- KSR – Invoice #24 – Pay Requisition for July 2022 - \$62,221.92

The invoices were unanimously approved by roll call vote 7-0

Motion was made by Maher, seconded by Feeney to approve the minutes of the July 5, 2022, July 19, 2022 and the August 2, 2022 meetings. Motion passed unanimously on a roll call vote 7-0.

Whereupon a motion was made by Maher seconded by Hayner to adjourn at 8:17 PM and it was unanimously voted.

Respectfully Submitted,  
Robert Jefferson

## **Arlington DPW – PTBC – Commodore Agreement – 8/16/22**

Below is a conceptual deal proposed by the construction manager (Commodore Builders):

- The town signs the GC time and GC extension PCO #68 = \$279,000. We settled at \$250,000.
- The town signs a ground improvement claim PCO #71 = \$30,000. The original claim was \$228,000 and subsequently revised to \$114,000. In this deal, the town would authorize Commodore to pay the ground improvement contractor \$114,000, \$84,000 of which would be funded from CM contingency and the balance (\$30K) from owner change order.
- The town signs a CM contingency request = \$79,827. This represents the full delta of budgeted amount vs drywall award, which would be entirely funded from CM contingency.
- The town signs spray fire proofing at elevator shaft PCO #84 = \$21,608. These costs would be split 50/50 between the town and construction manager.
- Commodore is claiming a buyout overrun of \$535,423 which they directly attribute to volatility in the market at the time of project award. There is some published research indicating extreme volatility in the market at that time, the attached document issued by the AGC illustrates approximately 24% of May 2021. Market volatility in CM at Risk projects is typically (and in my experience) always absorbed within the GMP. I have never had a CM propose replenishing their contingency. Our contract with the CM is silent on force majeure and/or covid related ancillary issues. Commodore is requesting that half of the actual overage (approx. \$267,500) we settled at \$175,000.

### **Owner's Contingency**

CR #68 – (\$250,000) – Time Extension

CR #71 – (\$30,000) – Ground Improvements Differing Site Conditions 1 of 2

CR #84 – (\$10,804) – Bld E Spray Fireproofing at Elevator Shaft

TBD CR – (\$175,000) – Buyout Overage / CM Contingency Replenishment

**Total Owner's Contingency = (\$465,804)**

### **CM Contingency**

CCR #38 – (\$85,854) – Ground Improvements Differing Site Conditions 2 of 2

CCR #50 – (79,827) – Drywall Buyout Overage

CCR #51 – (10,250) – Bld E Spray Fireproofing

**Total CM Contingency = (\$175,931)**